

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

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| WILLIAM CUMMINGS, | : | |
| | : | |
| Plaintiff | : | CIVIL ACTION NO. 1:22-1119 |
| | : | |
| v. | : | (MANNION, D.J.) |
| | : | (CARLSON, M.J.) |
| | : | |
| A. WELLER, <i>et al.</i> , | : | |
| | : | |
| Defendants | : | |

ORDER

In accordance with this court's Memorandum issued this same day, **IT**

IS HEREBY ORDERED THAT:

1. The September 6, 2022 report of Judge Carlson, **(Doc. 10)**, is

ADOPTED IN ITS ENTIRETY.

2. The defendants' motion to dismiss, **(Doc. 6)**, is **GRANTED**.

3. All of the claims in the plaintiff's complaint, **(Doc. 1-1)**, are

DISMISSED WITHOUT PREJUDICE.

4. The plaintiff's objection to the report, **(Doc. 11)**, is

OVERRULED.

5. The plaintiff is **GRANTED** leave to file one amended complaint that conforms to Judge Carlson's directives upon remand of this case.
6. The clerk of court is directed to **REMAND** this case to Judge Carlson for further proceedings consistent with this Order.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: September 29, 2022

22-1119-01-Order